

REMARKS/ARGUMENTS

Applicants have cancelled claims 3, 4, 6, 7, 10, 15-21 and 23-25. Applicants have amended claims 1, 2, 5, 8, 9, 11-14 and 22. Thus, claims 1, 2, 5, 8, 9, 11-14 and 22 are currently pending in the application.

Applicants note that claims 5, 11 and 22 were merely amended to correctly identify the dependency of each claim due to cancellation of claims.

Priority

On page 2 of the Official Action the Examiner stated "that according to the records, the present application was previously numbered 10/486942" and requested that the specification be amended to note this change.

Upon a review by Applicant's attorney of the Patent Application Information Retrieval, it is noted that serial number 10/486,942 is an unrelated application entitled "Wireless Communication Device" having a first named inventor "Reilly." Clarification is respectfully requested.

In any event, Applicants assert that there is continuity between the present application, namely, serial no, 10/774,233 and international application no PCT/US02/22945 from which priority is claimed. This is specifically set forth on page 2 of the Decision on Petition under 37 CFR 1.137 dated May 26, 2004.

Claim Objections

Claims 1 and 9 were objected to due to the possible confusion between the word “clip” in claim 1 and the term “intersection clip” in claim 9.

As suggested by the Examiner, Applicants have amended “clip” to recite “first clip” in claim 1 as well as in all subsequent occurrences throughout the listing of claims. Therefore, Applicants respectfully request that this claim objection be withdrawn.

Claims 2, 12, 17 and 21 were objected to due to the use of the word “convolute.” Applicants respectfully disagree with the Examiner’s contention which appear to be that the only accepted definition of “convolute” is “twist or coil.”

Attached hereto are web pages downloaded from Dictionary.com. As described therein, according to American Heritage Dictionary, an accepted definition for the word “convolute”, when used as an adjective, is “to coil or fold or cause to coil or fold in overlapping whorls.” Applicants respectfully submit that the “retainer” 76 of the clip is clearly folded in overlapping fashion. Accordingly, Applicants respectfully request that this claim objection with respect to pending claims 2 and 12 be withdrawn.

35 U.S.C. 102(b) Rejections

Claims 1 and 2 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,866,904 to Paul.

Applicants respectfully assert that this rejection is moot in view of the amendments to independent claim 1. Specifically, Paul does not include a “keyed” aperture as required by claim 1, as amended. The term “keyed aperture” is discussed in

greater detail below. Accordingly, Applicants request that the 102 rejection based on Paul be withdrawn.

Claims 15 and 25 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,292,332 to Jahn.

Claim 1, as amended specifically requires that the aperture be “keyed.” It is the Examiner’s assertion that slot 12 of Jahn is a “keyed” aperture. Applicants respectfully disagree.

Applicants submit that a “keyed” aperture (or “keyed” slot), is an slot that itself has a mechanism for fastening. Applicants slot itself secures a cross member to a major c permits both insertion and rotation of the keyed end of a cross member. More specifically, and as described in paragraph [0038] of the specification, the keyed end of a cross member is inserted through the major channel 43 of the keyed aperture of a first member. The cross member is then rotated to a second position in minor channel 45 of the first member, whereby the cross member is secured to the first member. Jahn does not teach or suggest that slot (12) is a “keyed” aperture, and, thus, claim 1 should be found allowable. Since each of the remaining claims depend from claim 1, these claims should also be allowable.

35 U.S.C. 103(a) Rejections

Claim 3 was rejected under 35 U.S.C. 103(a) as being unpatentable over Paul in view U.S. Patent No. 4,471,596 to Deaton.

Claims 4, 6, 7 and 9-14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Paul in view of Jahn.

Claims 5 and 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Paul in view of Jahn and Deaton.

Claims 16-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Jahn in view of Paul.

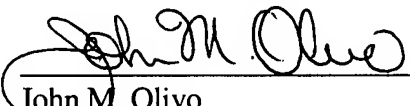
Claims 22-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Jahn in view of Deaton.

Applicants note that each of the claims rejected under section 103(a) depend from allowable claim 1 as described above. Accordingly, all of the rejections based on section 103(a) are moot. Applicants respectfully request that these 103 rejections be withdrawn.

Applicants submit that all currently pending claims are believed to be in a condition for allowance. Reconsideration is respectfully requested.

Respectfully submitted,

11/29/07
Date



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con·vo·lute [kon-vuh-loot] [Pronunciation Key](#) - [Show IPA Pronunciation](#) *verb*, -lut·ed, -lut·ing, *adjective*

-*verb* (used with object), *verb* (used without object)

1. to coil up; form into a twisted shape.

-*adjective*

2. rolled up together or with one part over another.

3. *Botany*. coiled up longitudinally so that one margin is within the coil and the other without, as the petals of cotton.

[Origin: 1690-1700; < L *convolutus* rolled up, equiv. to *convolū-* (s. of *convolvere* to CONVOLVE) + *-tus* ptp. suffix]

—*Related forms*

con·vo·lute·ly, *adverb*

[Dictionary.com Unabridged \(v 1.1\)](#)

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Dict

con·vo·lute  (kŏn'və-lōōt') [Pronunciation Key](#)

adj. Rolled or coiled together in overlapping whorls, as certain leaves, petals, or shells.

intr. & tr.v. **con·vo·lut·ed, con·vo·lut·ing, con·vo·lutes**

To coil or fold or cause to coil or fold in overlapping whorls.

[Latin convolūtus, past participle of convolvere, *to convolve*; see **convolve**.]

con'vo·lute'ly *adv.*

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The American Heritage® Dictionary of the English Language, Fourth Edition

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convolute

adjective

1. rolled longitudinally upon itself; "a convolute petal"

verb

1. curl, wind, or twist together [syn: [convolve](#)]

2. practice sophistry; change the meaning of or be vague about in order to mislead or deceive; "Don't twist my words" [syn: [twist](#)]

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Main Entry: con·vo·lute

Pronunciation: 'kän-v&- "lüt

Function: *adjective*

: rolled or wound together with one part upon another

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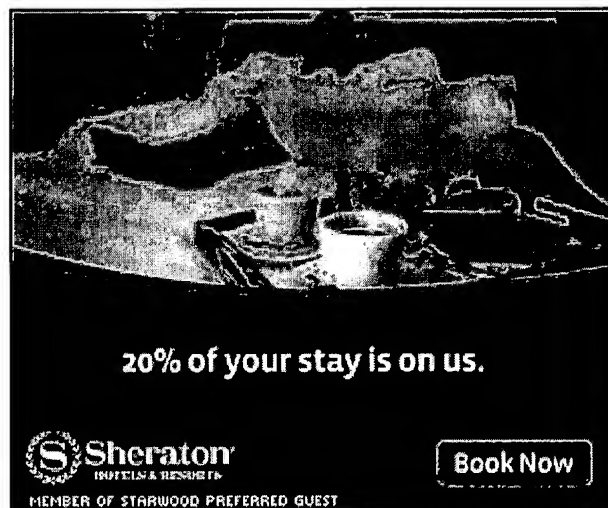
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